

1  
2  
3  
4  
5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
7

8 PERETZ HUSANU,

9 Plaintiff,

10 v.

11 SECRETARY OF HEALTH AND  
12 HUMAN SERVICES,

13 Defendant.  
14

2:11-CV-1191 JCM (VCF)

15 **ORDER**

16 Before the court is the report and recommendation of United States Magistrate Judge Cam  
17 Ferenbach (doc. #21) regarding plaintiff's motion to reverse (doc. #15) and defendant's cross motion  
18 to affirm (doc. #19) the judgment below. No objections to the report and recommendation have been  
19 filed.

20 This court "may accept, reject, or modify, in whole or in part, the findings or  
21 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects  
22 to a magistrate judge's report and recommendation, then the court is required to "make a de novo  
23 determination of those portions of the [report and recommendation] to which objection is made."  
24 28 U.S.C. § 636(b)(1).

25 Where a party fails to object, however, the court is not required to conduct "any review at all  
26 . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).  
27 Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate  
28

1 judge's report and recommendation where no objections have been filed. *See United States v.*  
2 *Reyna-Tapia*, 328 F.3d 1114 (9th Cir.2003) (disregarding the standard of review employed by the  
3 district court when reviewing a report and recommendation to which no objections were made); *see*  
4 *also Schmidt v. Johnstone*, 263 F.Supp. 2d 1219, 1226 (D. Ariz. 2003) (reading the Ninth Circuit's  
5 decision in *Reyna-Tapia* as adopting the view that district courts are not required to review "any  
6 issue that is not the subject of an objection."). Thus, if there is no objection to a magistrate judge's  
7 recommendation, then this court may accept the recommendation without review. *See e.g.*,  
8 *Johnstone*, 263 F.Supp.2d at 1226 (accepting, without review, a magistrate judge's recommendation  
9 to which no objection was filed).

10 Nevertheless, this court finds it appropriate to engage in a de novo review to determine  
11 whether to adopt the recommendation of the magistrate judge. Upon reviewing the recommendation  
12 and underlying briefs, this court finds good cause appears to ADOPT the magistrate's findings in  
13 full.

14 Accordingly,

15 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion for  
16 reversal or remand of the administrative law judge's decision (doc. #15) be, and the same hereby is,  
17 DENIED.

18 DATED July 26, 2012.

19  
20   
21 UNITED STATES DISTRICT JUDGE  
22  
23  
24  
25  
26  
27  
28